

#3

PATENT



A-64345-4/RBC/VEJ

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled TAMPER EVIDENCING CLOSURE, the specification of which

- is attached hereto.
was filed on September 18, 2001 as Application No. 09/955,844 (Attorney Docket No. A-64345-4/RBC/VEJ).
and as the application was amended on

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Patent Office all information known to me to be material to patentability as defined in 37 C.F.R. 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Table with 2 columns: Prior Foreign Application(s) and Priority Claimed. Contains three rows of application details with checkboxes for Yes/No.

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose to the Patent Office all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

09/900,505 (Application Serial No.) 07/05/2001 (Filing Date) pending (Status)

PATENT

A-64345-4/RBC/VEJ

09/653,679
(Application Serial No.)

09/01/2000
(Filing Date)

abandoned
(Status)

09/323,571
(Application Serial No.)

06/01/1999
(Filing Date)

now U.S. Pat. No. 6,112,923
(Status)

08/904,878
(Application Serial No.)

08/01/1997
(Filing Date)

now U.S. Pat. No. 5,913,437
(Status)

I hereby appoint the following attorneys and agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Harold C. Hohbach, Reg. No. 17,757; Aldo J. Test, Reg. No. 18,048; Donald N. MacIntosh, Reg. No. 20,316; Edward S. Wright, Reg. No. 24,903; David J. Brezner, Reg. No. 24,774; Robert B. Chickering, Reg. No. 24,286; Richard F. Trecartin, Reg. No. 31,801; Michael A. Kaufman, Reg. No. 32,988; Edward N. Bachand, Reg. No. 37,085; R. Michael Ananian, Reg. No. 35,050; Robin M. Silva, Reg. No. 38,304; Maria S. Swiatek, Reg. No. 37,244; Todd A. Lorenz, Reg. No. 39,754; Victor E. Johnson, Reg. No. 41,546 provided that if any one of said attorneys or agents ceases being affiliated with the law firm of Flehr Hohbach Test Albritton & Herbert LLP as partner, employee or of counsel, such attorney's or agent's appointment as attorney or agent and all powers derived therefrom shall terminate on the date such attorney or agent ceases being so affiliated.

Direct all telephone calls to **Robert B. Chickering** at (415) 781-1989.

Address all correspondence to:

Robert B. Chickering
FLEHR HOHBACH TEST
ALBRITTON & HERBERT LLP
4 Embarcadero Center, Suite 3400
San Francisco, California 94111-4187

File No. **A-64345-4/RBC/VEJ**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

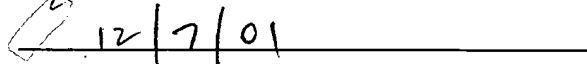
Full name of first inventor:

Mike Xiaoli Ma

Signature:



Date:



Residence:

San Jose, CA

Citizenship:

United States

Post Office Address:

c/o Portola Packaging, Inc.
890 Faulstich Court
San Jose, CA 95112